

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re PLATINUM BEECHWOOD
LITIGATION.

18-cv-06658 (JSR)

MARTIN TROTT and CHRISTOPHER
SMITH, as Joint Official
Liquidators and Foreign
Representatives of PLATINUM
PARTNERS VALUE ARBITRAGE FUND
L.P. (in Official Liquidation),
and PLATINUM PARTNERS VALUE
ARBITRAGE FUND L.P. (in
Official Liquidation),

18-cv-10936 (JSR)

ERRATA

Plaintiffs,

-v-

PLATINUM MANAGEMENT (NY) LLC,
et al.,

Defendants.

JED S. RAKOFF, U.S.D.J.:

The Court's Opinion and Order (No. 18-cv-6658, ECF No. 1097; 18-cv-10936, ECF No. 840) calculating the statutory offset of Bodner's damages is hereby corrected as follows. The second sentence of the middle paragraph on p. 12 should be replaced with the following:

However, only four of the settling defendants -- Huberfeld, the Landesman estate, Saks, and the Beechwood Defendants -- were on the hook for that full amount. As plaintiffs themselves noted in their opposition to Bodner's offset

motion, BDO LLP faced a total liability of \$153.2 million, CohnReznick LLP faced a total liability of \$123.5 million, Blank Rome LLP faced a total liability of \$314.2 million, Baker Botts LLP faced a total liability of \$80 million, and Bernard Fuchs faced a total liability of \$50.2 million. See ECF No. 825, at 14, 24. For those defendants, the \$50.2 million in damages that the plaintiffs alleged Bodner to have caused represent, respectively, 32.77% of BDO LLP's damages exposure, 40.65% of CohnReznick LLP's damages exposure, 15.98% of Blank Rome's damages exposure, 62.75% of Baker Botts's damages exposure, and 100% of Fuchs's damages exposure. Multiplying the respectively applicable percentages by each defendant's settlement amount produces a total settlement amount for the breach of fiduciary duty claim of \$10,523,503.90.

On p. 13, line 8, the figure of \$4,757,121.83 should be replaced with: \$12,429,263.79. In footnote 7, line 4, the figure of 10.15% should be replaced with: "the applicable percentage." In footnote 7, on the line beginning with BDO LLP, the figure of 10.15% should be replaced with: 32.77%. In footnote 7, the figure of \$19,055.86 should be replaced with: \$61,518.75. In footnote 7, on the line beginning with CohnReznick LLP, the figure of 10.15% should be replaced with: 40.65%. In footnote 7, the figure of \$226,135.05 should be replaced with: \$905,604.55. In footnote 7, on the line

beginning with Blank Rome LLP, the figure of 10.15% should be replaced with: 15.98%. In footnote 7, the figure of \$86,457.14 should be replaced with: \$136,091.93. In footnote 7, on the line beginning with Baker Botts LLP, the figure of 10.15% should be replaced with: 62.75%. In footnote 7, the figure of \$59,871.79 should be replaced with: \$370,143.34. In footnote 7, the figure of \$127,389.45 should be replaced with: \$127,436.16. In footnote 7, on the line beginning with Bernard Fuchs, the figure of 10.15% should be replaced with: 100%. In footnote 7, the figure of \$15,416.88 should be replaced with: \$151,890.41. In footnote 7, the figure of \$11,166.60 should be replaced with: \$11,170.69. In footnote 7, the figure of \$6,459.65 should be replaced with: \$6,462.01. In footnote 7, the figure of \$135,392.41 should be replaced with: \$135,442.05. In footnote 7, the figure of \$687,344.83 should be replaced with: \$1,905,759.89. On p. 15, line 2, the figure of \$8,614,851.10 should be replaced with: \$15,220,858.08. On p. 15, line 3, the figure of \$4,757,121.83 should be replaced with: \$12,429,263.79. On p. 15, line 4, the figure of \$8,614,851.10 should be replaced with: \$15,220,858.08. On p. 15, line 4, the figure of \$3,857,729.27 should be replaced with: \$2,791,594.29. On p. 15, line 7, the figure of \$3,857,729.27 should be replaced with: \$2,791,594.29. On p. 19, on line 2 of the concluding paragraph, the figure of \$3,857,729.27 should be replaced with: \$2,791,594.29.

The Clerk is respectfully directed to enter final judgment in the above-captioned cases in accordance with the corrected Opinion and Order and to close both cases.

SO ORDERED.

Dated: New York, NY
September 22, 2023


JED S. RAKOFF, U.S.D.J.